

Message Text

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APPROVED BY EB/ AN: MHSTYLES

CAB - MR. BURCH

EUR/ EE - MR. WILGIS

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FM SECSTATE WASHDC

TO AMEMBASSY WARSAW

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E. O. 11652: N/ A

TAGS: ETRN, PO

SUBJECT: CIVAIR - PAN AM TICKET SALES

REF: WARSAW 2728

1. NEGOTIATING RECORD AND TEXTS OF US- POLISH AIR TRANS-
PORT AGREEMENT AND ACCOMPANYING ARRANGEMENTS MAKE CLEAR THAT
THERE NO BUILT- IN OR AGREED- UPON LIMITATION ON ZLOTY SALES
FOR PAN AM BY POLISH AGENCIES. WHILE THERE NO EXPLICIT
STATEMENT REQUIRING THAT SUCH SALES BE MADE ON PAN AM ROUTES
WORLDWIDE, THERE SHOULD BE NO DOUBT IN POLISH MINDS THAT
BROADEST POSSIBLE APPLICATION THIS " CONCESSION" BY POLES
WAS ASSUMED BY US SIDE. MOREOVER, WHAT WE ESSENTIALLY
AGREED TO WAS THAT POLISH AGENCIES WOULD SERVE AS GENERAL
SALES AGENTS (GSA) FOR PAN AM IN POLAND AS THAT TERM IS
GENERALLY UNDERSTOOD, NAMELY, THAT A GSA REPRESENTS ITS
PRINCIPAL IN ALL REPEAT ALL SALES AND RELATED ACTIVITIES.
HAD THERE BEEN AGREEMENT THAT ZLOTY SALES WERE TO BE
SEVERELY LIMITED IN SCOPE, IT WOULD HAVE BEEN SPELLED OUT
AND SOME COMPENSATING LIMITATION ON LOT' S COMPLETE COMMER-
CIAL FREEDOM IN THE US WOULD HAVE HAD TO BE CONSIDERED IN
THE NEGOTIATIONS. LOOKED AT ANOTHER WAY, COMMERCIAL CARTE
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BLANCHE GIVEN LOT TO OPERATE IN US (PARA 1 OF JULY 19 NOTE EXCHANGE) WAS ONLY POSSIBLE ON ASSUMPTION THAT THE LIMITED RIGHTS GRANTED TO PAN AM FOR DIRECT CONVERTIBLE CURRENCY SALES WOULD NOT BE FURTHER DILUTED BY LIMITING ZLOTY SALES MADE THROUGH GSA.

2. DRAWING ON ABOVE AS WELL AS VERY APPROPRIATE POINTS MADE PARA 2 WARSAW 1536, EMBASSY REQUESTED TO PURSUE MATTER WITH POLISH OFFICIALS, IN COMPANY OF PAN AM REP OR SEPARATELY AS IS DEEMED MOST APPROPRIATE. GOAL IS TO OBTAIN EARLY AND EXPLICIT EXPANSION OF SCOPE OF LOT'S SALES ACTIVITIES ON BEHALF OF PAN AM. FYI. IDEALLY, WE WOULD LIKE TO SEE ZLOTY SALES MADE ON WORLDWIDE BASIS, BUT WOULD PROBABLY ULTIMATELY BE WILLING LIVE WITH " COMPROMISE" STEP OF SALES ON INTERMEDIATE AND BEYOND NEW YORK (OR WARSAW) LEGS. END FYI.

3. IN SUCH REPRESENTATIONS, EMBASSY SHOULD ALSO RAISE ANY OTHER MATTERS RELATING TO PAN AM'S OPERATIONS WHICH MAY STILL BE IN UNSATISFACTORY STATE (E. G., ISSUE NOTED FIRST PART PARA 4 REFTEL), ALTHOUGH SCOPE OF ZLOTY TICKET SALES SHOULD BE PRIMARY POINT. ROGERS

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